United Nations CRPD/C/SR.418

Convention on the Rights of Persons with Disabilities

Distr.: General
19 September2018

Original: English

Committee on the Rights of Persons with Disabilities
Twentieth session

Summary record of the 418th meeting
Held at the Palais des Nations, Geneva, on Wednesday, 12 September 2018, at 10 a.m.

Chair: Ms Degener

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The meeting was called to order at 10.05 a.m.

Consideration of reports submitted by parties to the Convention under article 35 (*continued*)

Initial report of Malta (*continued*) (CRPD/C/MLT/1; CRPD/C/MLT/Q/1 and CRPD/C/MLT/Q/1/Add.1)

1. *At the invitation of the Chair, the delegation of Malta took places at the Committee table.*

Articles 11–20

2. **Mr. De Gaetano** (Malta), responding to questions put at the previous meeting, said that his country's General Emergency Plan included references to persons with disabilities. The Commission for the Rights of Persons with Disability provided disability equality training for officers at the Civil Protection Department, which was responsible for the Plan. The training, which was provided by persons with disabilities, served to foster constructive dialogue between the Civil Protection Department and persons with disabilities, which would enable the Department to better adapt the Plan to the needs of such persons. The Plan was in line with the Sendai Framework for Disaster Risk Reduction.

3. **Ms. Schembri Muscat** (Malta) said that school evacuation plans were designed by health and safety officers. When a school had a student who used a wheelchair, evacuation plans were discussed with the student's teachers and parents when the student's individual educational plan was drawn up. Schools had evacuation chairs, but if they could not be used, there were also designated areas where students could take refuge during emergencies such as fires. Drills were held at least three times a year, and teachers, learning support educators and students were trained to help each other in emergencies. Additional measures, such as equipping all classrooms with push-bar emergency exits, were taken in schools that had more students with profound and multiple disabilities. Pool areas also had additional emergency equipment, including manual hoists. Educators and other school staff members were trained in the use of their school's emergency equipment, which was regularly inspected. Special provisions applied in schools with students with autism. Whenever possible, students were taught about the health and safety measures they themselves could take.

4. **Ms. Azzopardi Lane** (Malta) said that the university course for prospective health and safety officers had begun covering several disability-related topics, including issues related to universal design, mobility and communication.

5. **Mr. De Gaetano** (Malta) said that discussions were being held with the Director General (Courts) and the Commission for the Rights of Persons with Disability with a view to improving accessibility in the justice system for persons with disabilities, and appropriate measures were being taken. For example, following a request from a blind lawyer, the forms used by legal practitioners to file certain writs were now available in an accessible electronic format. The Government recognized that other legal materials might also need to be made available in accessible formats, such as Easy Read. The Commission had conducted accessibility reviews of police stations and provided training to police officers on how to deal with persons with disabilities, including those with psychosocial disabilities, in a sensitive and accessible way.

6. **Mr. Cini** (Malta) said that a number of schemes had been introduced over the previous three years to improve the personal mobility of persons with disabilities and enable them to lead more independent lives. Under one of those schemes, persons with disabilities could apply to receive funding for the purchase of a wheelchair or other mobility-related equipment. Applications for assistive equipment and devices were considered by an independent panel, which also provided advice on the availability of equipment and how to purchase it. Under another scheme, subsidies for individualized transport services were made available to persons who were unable to use the public transport system. Additional assistance for persons with disabilities included a partial refund on the value added tax paid for vehicle purchases and exemption from the annual vehicle licence tax. The Sonia Tanti Independent Living Centre provided adapted

equipment and vehicles to suit the needs of persons with disabilities, who could also book driving lessons at a specialized training unit.

7. **Mr. De Gaetano** (Malta) said that the concepts of guardianship and substitute decision-making were set to be eliminated from national legislation. The Personal Autonomy Bill, once enacted, would amend the Civil Code and the Code of Organization and Civil Procedure, removing all mentions of interdiction, incapacitation and guardianship. The Government wished to respect the rights and preferences of all people, including persons with disabilities. Accordingly, under the new law, persons with intellectual and/or psychosocial disabilities would receive support in exercising their legal capacity from a safeguarder, who would be responsible for safeguarding the person's legal autonomy. The person with an intellectual and/or psychosocial disability would always make the final decision, unless an arrangement for joint decision-making had been established through a representation agreement. Guardianship would be phased out during a three-month transition period following the enactment of the Personal Autonomy Bill. The delegation understood that the final draft of the Bill would need to be made available in accessible format for public consultation, and plans were therefore being made to produce the text in Easy Read and other formats.

8. According to the office of the Commissioner for Mental Health, the Mental Health Act would also be reviewed and updated in 2019. The Government was committed to eliminating the involuntary detention and hospitalization of persons with intellectual and/or psychosocial disabilities in Malta. The ultimate aim was to progress to a system of support provided from within the community, but such a transition would take time, as there was currently a lack of appropriate support structures in the community. A 10-year plan had therefore been adopted for the development of community-based solutions to meet the needs of persons with intellectual and/or psychosocial disabilities.

9. The Mental Health Act stipulated that the administration of electroconvulsive therapy required the informed consent of the patient or, if the patient lacked the mental capacity to give consent, the responsible carer. The Government was aware that such a provision was not in line with the Convention. However, the revisions to the substitute decision-making regime envisaged under the Personal Autonomy Bill would rectify that situation. In 2017, electroconvulsive therapy had been administered to 36 patients at the general hospital and a further 22 patients at the Mount Carmel mental health facility.

10. The introduction of a bill of rights in the Equal Opportunities (Persons with Disabilities) Act in 2016 had increased awareness of the issue of hate-based violence against persons with disabilities. In Malta, disability-based hate crime was not currently recognized as a specific form of hate crime, although there were plans to amend the law in that regard. Consequently, specific statistics on disability-based hate crime were not available. Cross-referencing of gender-based hate crime statistics with disability statistics, however, revealed that five persons with disabilities, including two women, had made complaints to the police about hate-based violence in 2017.

11. **Mr. Cini** (Malta) said that Aġenzija Sapport and Aġenzija Appoġġ worked together closely to ensure that persons with disability were free from exploitation, violence and abuse. For example, if representatives from Aġenzija Sapport received a request for social support services and discovered issues related to domestic violence or ill-treatment, they referred those cases to Aġenzija Appoġġ, which was responsible for matters relating to domestic violence and child protection. If cases of domestic violence and abuse involving persons with disabilities were referred directly to Aġenzija Appoġġ, on the other hand, it requested assistance from Aġenzija Sapport. In 2017 there had been a total of 41 cases of neglect or domestic violence involving adults and children with disabilities.

12. **Ms. Schembri Muscat** (Malta) said that the Ministry for Education and Employment participated in a steering group that worked to bring together stakeholders concerned with the issue of domestic violence and to strengthen the support services provided to families and children, including children with disabilities. In the country's schools, when either students or the parents of students disclosed cases of domestic violence to psychosocial practitioners or academic staff, they were offered support from a

range of psychosocial practitioners, including psychologists, counsellors, psychotherapists and school social workers.

13. **Mr. De Gaetano** (Malta) said that statistics on complaints made by persons with intellectual and/or psychosocial disabilities were issued by the Office of the Commissioner for Mental Health on an annual basis. The statistics for 2017 were currently being finalized and would be presented to Parliament in the first or second week of October 2018. They would then be made available to the public via the website of the Office of the Commissioner for Mental Health. With regard to updated information on the medical interventions carried out on persons with intellectual and/or psychosocial disabilities without their consent, in recent years there had only been one case of a patient who had undergone sterilization. However, as mentioned in the Government's replies to the list of issues (CRPD/C/MLT/Q/1/Add.1, para. 53), that person had requested and consented to the procedure.

14. Campaigns and training courses had been carried out to raise awareness about the concepts of independent living and community integration. Furthermore, a national awareness-raising campaign aimed at combating the stigma associated with intellectual and psychosocial disabilities had been conducted, including among children.

15. Regarding the number of persons still living in institutions, the statistics included in the replies to the list of issues concerned persons with intellectual disabilities, unless otherwise specified. Persons with physical disabilities had been almost completely included in the community. The challenge now was to do the same for persons with intellectual disabilities. The number of persons with psychosocial disabilities who were living in institutions or facilities designed to help them transition to living in the community was also indicated in the replies to the list of issues.

16. Proposed legislative amendments and other reforms relating to living independently and being included in the community were informed by the Committee's general comment No. 5 (2017). Programmes designed to facilitate independent living and inclusion in the community were developed in consultation with persons with disabilities, who also chaired the boards that administered the programmes. Monies from the European Social Fund and the European Regional Development Fund were being used to help finance a number of initiatives aimed at the implementation of article 19. The Meeting Place, a converted former school building, had been set up to give civil society organizations, including organizations of persons with disabilities, that did not have their own premises access to a space and to the administrative services that would enable them to do their work.

17. **Mr. Cini** (Malta) said that the Inklużjoni (INK) project, which was funded by the European Union, promoted the inclusion of persons with disabilities, in particular in the labour market. Over the three-year life of the project, 200 persons with disabilities would receive training, including on how to write a curriculum vitae, and practical experience in workplaces. Before the training started, an exercise would be conducted to match jobseekers with prospective employers. Training would also be provided to a similar number of employers. The €3 million earmarked for the project was in addition to the recent increase of €5 million in the budget for programmes for persons with disabilities. Employers participating in the Project would be visited by auditors to determine whether their premises were accessible to persons with disabilities. As part of another project, some 80 persons with disabilities would be sent to Ireland on study visits.

18. **Mr. Farrugia** (Malta) said that Aġenzija Sapport administered one fund to support the hiring of personal assistants for persons with disabilities and another to facilitate independent community living. The chair and vice-chair of the independent boards that awarded the grants made possible by the two funds were persons with disabilities. The amounts allocated from the Personal Assistants Fund could be enough to hire a live-in assistant to provide assistance around the clock. A fast-track procedure made it possible to approve the release of funds within 24 hours of application. Such emergency funding was usually made available when a person with disabilities was at risk of homelessness or when his or her family support network failed to help him or her deal appropriately with an emergency. Supplementary funding was available from other programmes in the event that the amount awarded was insufficient. The recipients of grants from the Personal Assistants

Fund chose their own assistants. In general, Agenzija Sapport was making efforts to ensure that the services and funds it provided were accessible to all persons with disabilities.

19. **Mr. De Gaetano** (Malta) said that the issue of refugees and asylum seekers with disabilities had been discussed with the Office of the Refugee Commissioner, the Agency for the Welfare of Asylum Seekers and Agenzija Sapport. The specific needs of such persons, in particular once they had been accorded international protection, were attended to on a basis of equality with other persons with disabilities resident in Malta. Discussions on moving the Office of the Refugee Commissioner to accessible premises were currently under way, as were efforts to make reception centres more accessible to refugees and asylum seekers with disabilities. The Government recognized that more needed to be done, however. Staff members of the agency that dealt with State-run detention centres and officials who worked with refugees and other migrants — at migrant reception centres, for example — had taken courses organized by the Commission for the Rights of Persons with Disabilities. The objective of the courses was to raise awareness among officials of the needs of refugees and asylum seekers with disabilities, including those with psychosocial disabilities resulting from severe trauma. Similar courses were organized for prison personnel.

20. **Mr. De Gaetano** (Malta) said that Agenzija Sapport was developing a specific training programme for sign language interpreters who worked with asylum seekers. In addition, the agency had requested funding for an officer to liaise with the domestic and international agencies dealing with refugees and asylum seekers in Malta, including the Office of the Refugee Commissioner, the Agency for the Welfare of Asylum Seekers, the Office of the United Nations High Commissioner for Refugees, the European Asylum Support Office and the International Organization for Migration. Improved dialogue would ensure that challenges were properly addressed, not least with regard to obstacles to the freedom of movement of refugees and asylum seekers with disabilities. The process was under way, and efforts were being made to ensure it was informed by input from persons with disabilities.

21. A disability support unit had been set up at the University of Malta Faculty of Law, a first step towards ensuring that persons with disabilities could qualify to work in the justice system. The current challenge was to make sure that, once persons with disabilities began working in the legal field, they would find a more inclusive and understanding environment. Some of the persons with disabilities sitting on government boards were lawyers, as some board positions required legal expertise.

22. **Ms. Azzopardi Lane** (Malta) said that new research from the Department of Disability and the Department of Criminology of the University of Malta had contributed much-needed knowledge of the experiences of persons with intellectual disabilities in the Maltese criminal justice system, whether as victims or as defendants. The aim of the research was to inform policy and practice. In addition, students at the University were conducting research to determine how well aware persons with intellectual disabilities were of their legal rights and the mechanisms at their disposal to seek redress for violations of those rights. In conducting their research, the students also raised awareness of those rights.

The meeting was suspended at 11.15 a.m. and resumed at 11.25 a.m.

Articles 21–33

23. **Mr. Martin**, noting that persons with intellectual disabilities worldwide had poor health outcomes, said that he would be grateful if the delegation could inform the Committee about what was being done to ensure that doctors, nurses and other health workers were given the right training to be able to communicate with and provide health services to persons with such disabilities. He would be interested to know how organizations of persons with disabilities were being involved in the consultations with the Electoral Commission concerning the State party's reservation to article 29. He also wished to know whether information on voting was available in Easy Read format and whether any consideration had been given to producing DVDs on the voting process for persons with intellectual disabilities, featuring actors with intellectual disabilities.

24. **Mr. Lovászy**, noting that the Maltese Sign Language Council had held its first seminar as recently as 2017, said that he would like to know what specific binding measures and incentives were in place with respect to sign language and whether a road map had been established for further improvements, particularly when it came to access to public services and basic education. He would be interested to hear how and to what extent the Council ensured the accessibility of local media and what sanctions were applied in the event of non-compliance. He would also be grateful for clarification of how it was ensured that the assessment of the working capacity of persons with disabilities was in line with the Convention's human rights-based approach and what remedies were available to individuals who wished to challenge the decision of the assessment team. The delegation might also comment on any such challenges that had reached the highest national courts and on the supports available to persons with disabilities who had exhausted all domestic remedies to enable them to bring cases to the Committee under the Optional Protocol. He would be interested to know about monitoring and sanctions for non-compliance with the quota system for the employment of persons with disabilities and would be grateful if specific figures could be provided on the employment of persons with disabilities and their access to reasonable accommodation. He would also welcome information on incentives for working persons with disabilities, such as tax exemptions and individually tailored wage support, and on how the State party prevented the bogus employment of persons with disabilities by companies seeking merely to meet the quota.

25. **Mr. Kim** Hyung Shik said that he would be interested to know whether the positive economic outlook in 2015 described in the State party report (CRPD/C/MLT/1, paras. 8 and 9) had improved the overall employment situation for persons with disabilities. Noting that there was a gap between the educational standards demanded by the labour market and those attained by persons with disabilities, he asked what the average level of education obtained by persons with disabilities was and what measures were being taken to address the physical accessibility barriers and socioeconomic factors that hindered their employment. He would appreciate statistics on the proportion of companies that complied with the 2 per cent quota for the employment of persons with disabilities, the penalties in place for non-compliance and how the income collected through penalties was used. It would be interesting to learn which of the forms of employment of persons with disabilities set out in the national employment policy — such as open market employment, social cooperatives and supported and sheltered employment — had proved most effective. He would welcome statistics on the number of persons with disabilities who had been assisted by the Lino Spiteri Foundation in finding employment since 2015. He would also be grateful for information on the implementation of the personal action plans drawn up to assist persons with disabilities in choosing a suitable career and searching for work, on how assessments of fitness to work were conducted and on how it was ensured that persons with disabilities had inclusive access to employment.

26. **Mr. Babu** said that the State party's legislation promoted the rights of persons with disabilities in some sections while denying them in others. According to the Marriage Act, all persons aged 16 and over were entitled to marry and found a family, with the exception of persons with a severe intellectual impairment. He wondered whether that provision was not considered to contradict the Equal Opportunities (Persons with Disabilities) Act, which prohibited discrimination on the basis of disability. He was also concerned that the National Sexual Health Policy was discriminatory towards persons with disabilities and that there was no legislation providing for capacity to consent for persons with learning disabilities. He would appreciate a comment from the delegation on that state of affairs, which seemed to promote stigma and stereotypes.

27. **Mr. Ishikawa** said that he would be interested to hear about measures taken or planned to train interpreters and communicators for deaf-blind persons, such as tactile sign language interpreters and finger Braille interpreters, and to provide accessible textbooks and other educational resources for students with print disabilities. He would also like to know whether public and private universities had an obligation to provide reasonable accommodations to students with disabilities. Although mainstream schools provided peripatetic teachers for children with visual and/or hearing impairments, the Committee had heard reports of parents being asked to keep their children at home because the learning support assistant was absent and there was no replacement; he would be interested to know

how the Government planned to tackle that issue. He would welcome further clarification of why Malta could not withdraw its reservations to article 29 (a) (i) and (iii) of the Convention. Lastly, he would be grateful if the delegation would describe the measures being considered to ensure that the Commission for Rights of Persons with Disability could properly discharge its responsibility to monitor the implementation of the Convention.

28. **Mr. Langvad** said that he would like to know whether deaf persons had access to free or affordable sign language interpretation for social events and leisure activities. He also wished to know what the average income of persons with disabilities was compared with that of the rest of the population and what proportion of workplaces was covered by the quota system for the employment of persons with disabilities. Information on measures to ensure that persons with disabilities living in institutions could vote at regular polling stations would also be welcome. It would also be useful to know how the mechanism for monitoring implementation of the Convention in Malta conformed with the Paris Principles and how organizations of persons with disabilities were directly consulted on the implementation of the Convention.

29. **Mr. Pyaneandee** (Country Rapporteur) said that he would encourage the State party to undertake several commitments. For example, he would recommend that the University of Malta should carry out research on the socioeconomic and cultural benefits of inclusive education and launch a national debate on the subject. In the ongoing work on the Personal Autonomy Bill, the State party should ensure that, in line with article 29 of the Convention, persons with disabilities could exercise their civil and political rights, including the right to vote, on an equal basis with others. He would like to know the time line for adoption of the United Nations Convention on the Rights of Persons with Disabilities Bill and when the Commission for Persons with Disability would be made fully independent.

The meeting was suspended at 11.45 a.m. and resumed at 12.15 p.m.

30. **Ms. Azzopardi Lane** (Malta) said that the Department of Disability Studies of the University of Malta provided training to students in the health professions on working with persons with intellectual disabilities. Both the Commission for Persons with Disability and Agenzija Sapport provided supplementary training to health-care professionals following graduation. The University's Department of Disability Studies was conducting research together with persons with intellectual disabilities in which videos were being used as a tool for accessible information for the purpose of awareness-raising.

31. **Mr. De Gaetano** (Malta) said that the discussions concerning the reservation to article 29 involved not only the Electoral Commission but also the political parties. Work was under way to try to bring the parties closer to a consensus that would lead to the lifting of the reservation, including direct consultations and a conference organized with experts from the Council of Europe. It was clear to all concerned that the reservation had been intended to be temporary. The Electoral Commission had taken steps to ensure the availability of more accessible materials for blind voters, including Braille ballot papers freely available at all polling stations, and a number of civil society organizations and organizations of blind persons had been consulted in that process. Ballot papers were being printed in other accessible formats with photos of the candidates. In terms of voter education, the production of DVDs was under consideration. The Commission for Rights of Persons with Disability had structures for the consultation of persons with disabilities, including persons with intellectual disabilities. As mentioned in the previous meeting, a consultation mechanism was also being set up in the Office for Disability Issues.

32. The Maltese Sign Language Council had been established in 2016 and had already launched a number of initiatives, applying a rights-based approach. The Government was actively supporting the Sign Language Council in the organization of its upcoming conference. In order to ensure the availability of properly qualified sign language interpreters, the Government had funded the first training course for interpreters at the University of Malta; a cohort of 13 persons would be starting the course in 2018. As there were currently only two persons available to teach the course, efforts were being made in cooperation with the Council, the University and representatives of the deaf community to identify more long-term solutions to increase capacity to train interpreters, expand the pool of working interpreters and promote the course among students. Greater attention was also

being paid to supporting athletes participating in the Deaflympics. When it came to the accessibility of local media, it was the Government rather than the Council that had the mandate to impose sanctions.

33. The assessment of capacity to work would be brought into line with the Convention as part of the process of streamlining the disability assessment system. Assessment decisions could be appealed before the courts. If a complaint of discrimination was lodged, there was first a mediation procedure, which could be escalated to full proceedings before the civil courts. There had been a number of notable cases before the courts in which persons with disabilities had successfully taken action against the Government. Two cases currently under appeal involved the accessibility of a health centre and a claim against the Malta Football Association concerning accessibility of the national stadium. Other cases had been taken against a local band club, a leisure club, pharmacies and an independent school. Such court cases were reported annually to the House of Representatives and information about them was made publicly available.

34. The individual right to petition the courts was enshrined in the Equal Opportunities (Persons with Disabilities) Act and other national legislation. Individuals with disabilities could also lodge complaints with the Committee, in accordance with the Optional Protocol. The Commission for the Rights of Persons with Disability had a legal obligation to provide support and reasonable accommodation to persons with disabilities to enable them to access the justice system. In addition to conducting training and awareness-raising activities in the justice system, the authorities were putting in place a redress mechanism to ensure effective access to substantive rights.

35. JobsPlus, the national employment agency, was required by law to monitor compliance of companies to which the 2 per cent quota system applied. If companies did not meet the quota, they would face fines or court proceedings. The courts could order companies to provide reasonable accommodation to ensure workplace accessibility for persons with disabilities. Since the introduction of the system, 722 companies had complied with the rules while 487 had not; those cases had been resolved either through amicable settlements or in the courts. In 2016, 1,000 people had been employed under the quota scheme. Tax exemptions were available to businesses employing persons with disabilities. Workers with disabilities continued to receive social security benefits, including financial support to enable them to hire a personal assistant, even if they were in full-time employment. Companies were obliged to employ persons with disabilities on an equal basis with other workers. The Government had enacted an equal work for equal pay policy which would be enforced; sanctions would be applied if companies did not comply with it. The growth in the national economy had enabled the Government to increase funding for initiatives to help persons with disabilities to enter the labour market.

36. The authorities were aware that some people in vulnerable situations faced double discrimination. A number of initiatives had been introduced to provide support for such persons in accessing the labour market. Under the Access to Employment Scheme, which was co-financed by the European Social Fund, persons with disabilities in full-time employment received a weekly subsidy of €125; that subsidy was awarded pro rata for part-time employment. Employers of persons with disabilities received a fiscal incentive equal to 25 per cent of the annual basic salary, up to a maximum of €4,500. The Bridging the Gap Scheme provided persons with disabilities with opportunities to gain work experience and to receive an allowance equal to 80 per cent of the national minimum wage. While some sheltered employment programmes did exist, they were targeted only at specific groups of people; the Government's main focus was on mainstreaming, which it considered to be best practice in matters relating to persons with disabilities.

37. **Ms. Schembri Muscat** (Malta) said that the recently established National Skills Council had been established with the aim of addressing the skills gap in the workforce, particularly in the digital, technology and financial sectors. The Council, which was made up of representatives from the education and business sectors, government entities and civil society organizations, would make recommendations on policy changes to prepare the workforce for the challenges of the future. Malta was currently experiencing its lowest ever unemployment rate, which was also affecting the ability of employers to find workers with the skills they required. In 2016, the Malta College of Arts, Science and Technology had

launched the Skills Kit programme, which allowed students to choose from a wide range of subject areas and learn at their own pace.

38. **Mr. Farrugia** (Malta) said that under the Personal Assistant Scheme, persons with disabilities selected their own personal assistant and could receive one-to-one support at work. The Empowerment Scheme provided funds to enable persons with disabilities to attend higher education or find employment.

39. **Mr. Cini** (Malta) said that the Job Enhancing Skills Scheme (JESS) was a two-year programme designed to provide persons with disabilities with skills training and match them to a suitable workplace. The programme had initially accepted 50 beneficiaries, but there were plans to extend its reach. A request for additional funding had been made to the Ministry for Finance with a view to enabling people who had completed the eight-month training under the INK project to transfer to JESS.

40. **Mr. De Gaetano** (Malta) said that the Equal Opportunities (Persons with Disability) Act superseded all other laws and policies relating to persons with disabilities, with the result that if anyone felt that other national legislation contained discriminatory provisions concerning the right to marry, they could challenge those provisions in court. Since marriage was a contractual relationship, however, a person's capacity to understand what it entailed and to consent to it was fundamental. A working group was in place to identify and remove derogatory language from national legislation.

41. **Ms. Azzopardi Lane** (Malta) said that the Commission for the Rights of Persons with Disability had set up a working group to review the legislation on the sexual expression of persons with disabilities and remove any discriminatory articles. The Government was examining international best practice on the exercise of personal autonomy and assessment of the capacity of persons with intellectual disabilities to consent to a sexual relationship.

42. **Mr. De Gaetano** (Malta) said that the Government intended to implement measures to support the country's small community of deaf-blind persons, including the production of textbooks in accessible formats.

43. **Mr. Farrugia** (Malta) said that sign language interpretation services were provided free of charge, and it was the person with the hearing impairment who decided what type of services were required.

44. **Ms. Schembri Muscat** (Malta) said that peripatetic teachers provided classroom support for children with visual or hearing impairments. The Government was working to ensure that children requiring one-to-one support could remain in school even when learning support educators were temporarily unavailable. Operating procedures were due to be launched that would provide additional guidance for schools and firmly place responsibility on senior management teams for ensuring that schools did everything they could to support a child before applying for a statement of needs and an individualized education plan. In 2018, a review had found that many children with statements of needs had made significant progress and no longer required such intensive support; as a result, more learning support educators would be available to provide relief for absent colleagues.

The meeting rose at 1 p.m.